

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:10-CV-124-D

CHARLES ABRAHAM BRYANT,)
)
 Plaintiff,)
)
 v.)
)
 THE CITY OF GREENVILLE, NORTH)
 CAROLINA, MICHAEL GEORGE, and)
 STEVEN COTTINGHAM,)
)
 Defendants.)

ORDER

On August 2, 2011, Magistrate Judge Gates issued a Memorandum and Recommendation (“M&R”) [D.E. 49]. In that M&R, Judge Gates recommended that defendants George and Cottingham’s motion to dismiss [D.E. 17] be granted, that defendant Greenville’s motion to dismiss [D.E. 33] be granted, and that the remaining motions [D.E. 4, 28, 29, 37, 41, 45, 48] be denied. On August 12, 2011, plaintiff filed objections [D.E. 50] to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis removed) (quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the M&R and the record. As for those portions of the M&R to which plaintiff did not object, the court is satisfied that there is no clear error on the face of the

record. As for the objections, the court has reviewed the objections and the M&R de novo, plaintiff's objections are overruled.

Defendants' motions to dismiss [D.E. 17, 33] are GRANTED. The remaining motions [D.E. 4, 28, 29, 37, 41, 45, 48] are DENIED. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE. The clerk is directed to close the case.

SO ORDERED. This 2 day of September 2011.


JAMES C. DEVER III
United States District Judge